

CITY COUNCIL MINUTES
NORMAN UTILITIES AUTHORITY MINUTES
NORMAN MUNICIPAL AUTHORITY MINUTES
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES

April 13, 2010

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 13th day of April, 2010, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
ABSENT:	Councilmember Atkins

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

PRESENTATION OF A CIVILIAN SERVICE MEDAL AND CERTIFICATE TO MR. KEHINDE ASOJO.

Police Chief Phil Cotten and Lieutenant Shawn Hawkins presented a Civilian Service Medal to Mr. Kehinde Asojo.

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Item 4, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 5 through Item 26 excluding Item 8 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Cubberley; and the question being upon the placement on the consent docket by unanimous vote of Item 5 through Item 26 excluding Item 8, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Item 5 through Item 26 excluding Item 8 were placed on the consent docket by unanimous vote.

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Item 5, being:

PUBLIC WATER FORUM, SERIES 5, MINUTES OF MARCH 4, 2010
CITY COUNCIL FINANCE COMMITTEE MINUTES OF MARCH 17, 2010
CITY COUNCIL CONFERENCE MINUTES OF MARCH 23, 2010
CITY COUNCIL MINUTES OF MARCH 23, 2010
NORMAN UTILITIES AUTHORITY MINUTES OF MARCH 23, 2010
NORMAN MUNICIPAL AUTHORITY MINUTES OF MARCH 23, 2010
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MARCH 23, 2010
~~CITY COUNCIL FINANCE COMMITTEE MINUTES OF MARCH 24, 2010 (WITHDRAWN)~~
PUBLIC WATER FORUM, SERIES 6, MINUTES OF MARCH 25, 2010
CITY COUNCIL STUDY SESSION MINUTES OF MARCH 30, 2010
CITY COUNCIL SPECIAL SESSION MINUTES OF MARCH 31, 2010

Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, Councilmember Kovach moved that the minutes be approved and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Item 5, continued:

Items submitted for the record

1. Public Water Forum, Series 5, minutes of March 4, 2010
2. City Council Finance Committee minutes of March 17, 2010
3. City Council Conference minutes of March 23, 2010
4. City Council minutes of March 23, 2010
5. Norman Utilities Authority minutes of March 23, 2010
6. Norman Municipal Authority minutes of March 23, 2010
7. Norman Tax Increment Finance Authority minutes of March 23, 2010
8. Public Water Forum, Series 6, minutes of March 25, 2010
9. City Council Study Session minutes of March 30, 2010
10. City Council Special Session minutes of March 31, 2010

and the question being upon approving the minutes and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Butler, Cubberley,
Dillingham, Ezzell, Griffith, Kovach,
Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the minutes approved; and the filing thereof was directed.

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Item 6, being:

CONSIDERATION OF ORDINANCE NO. O-0910-24 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE A TRACT OF LAND LYING WITHIN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2525 EAST LINDSEY STREET)

Councilmember Kovach moved that Ordinance No. O-0910-24 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 29, 2010, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0910-24 with Exhibit A, site development plan
3. Location map
4. Staff Report dated March 11, 2010
5. Project description from Gene Barnes, Mission Norman, to Sean Rieger
6. Planned Unit Development Narrative dated February 8, 2010, for Mission Norman Addition
7. Preliminary plat
8. Renderings of site
9. Protest area map with 0.33% filed protest within notification area
10. Letter of protest dated March 3, 2010, from Walter H. Knoepfli and Isobel L. Knoepfli to Members of the Planning Commission
11. Letter of support dated March 25, 2010, from David O. Hess to City Councilmembers
12. Letter of support dated March 19, 2010, from H. Harvey Hill, III, to Whom It May Concern
13. Norman Predevelopment Summary for Case No. PD 09-28, dated December 17, 2009, for Mission Norman
14. Pertinent excerpts from Planning Commission minutes of March 11, 2010

Item 6, continued:

and the question being upon the Introduction and adoption of Ordinance No. O-0910-24 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-0910-24 was Introduced, read, and adopted upon First Reading by title.

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Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-0910-26 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ADD A SECTION CREATING A MUD, MIXED USE DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-0910-26 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 29, 2010, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0910-26
3. Memorandum dated March 5, 2010, from Doug Koscinski, AICP, Manager, Current Planning Division, to Chairman and Members, Norman Planning Commission
4. Planning Commission Study Session minutes of April 23, 2009
5. Joint City Council/Planning Commission Study Session minutes of June 2, 2009
6. Planning Commission Study Session minutes of July 30, August 13, August 27, September 24, October 8, and October 22, 2009
7. City Council Study Session minutes of December 1, 2009
8. Pertinent excerpts from Norman Planning Commission Public Meeting minutes of February 9, 2010
9. Pertinent excerpts from Planning Commission minutes of March 11, 2010
10. Pertinent excerpts from City Council Planning and Community Development minutes of February 12, 2010

and the question being upon the Introduction and adoption of Ordinance No. O-0910-26 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-0910-26 was Introduced, read, and adopted upon First Reading by title.

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Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-0910-34 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 14-310(C)(2)C, 14-311(D), AND 14-507 OF CHAPTER 14 OF THE CODE OF THE CITY OF NORMAN TO INCREASE MUNICIPAL COURT COSTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Item 8 was withdrawn at the request of Staff.

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Item 9, being:

CONSIDERATION OF THE PROPOSED FISCAL YEAR 2010-2011 CENTRAL OKLAHOMA MASTER CONSERVANCY DISTRICT (COMCD) BUDGET.

Councilmember Kovach moved that the proposed Fiscal Year 2010-2011 COMCD Budget be approved and the inclusion of that amount applicable in the proposed Fiscal Year 2011 City of Norman Budget be directed, which motion was duly seconded by Councilmember Cubberley;

- Items submitted for the record
- 1. Approved COMCD Budget for FY 2010-2011

and the question being upon approving the proposed Fiscal Year 2010-2011 COMCD Budget and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the proposed Fiscal Year 2010-2011 COMCD Budget approved; and the inclusion of that amount applicable in the proposed Fiscal Year 2011 City of Norman Budget was directed.

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Item 10, being:

SUBMISSION OF THE PUBLIC ARTS BOARD ANNUAL REPORT.

Councilmember Kovach moved that receipt of the report be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

- Items submitted for the record
- 1. Annual Report of the Norman Public Arts Board, March, 2010

and the question being upon acknowledging receipt of the report and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 11, being:

CONSIDERATION OF ACCEPTANCE OF UTILITY EASEMENT NO. E-0910-51 DONATED BY SCOTT AND JESSICA ROUNDTREE AND UTILITY EASEMENT NO. E-0910-52 DONATED BY TERRA VERDE DEVELOPMENT, L.L.C., TO ALLOW REROUTING OF A SANITARY SEWER LINE AS PART OF THE PARK HILL ADDITION, A PLANNED UNIT DEVELOPMENT.

Councilmember Kovach moved that the easements be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated March 23, 2010, from Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
- 2. Easement Nos. E-0910-51 and E-0910-52
- 3. Location maps
- 4. Lot Line Adjustment No. 1386 filed February 17, 2010, for 3448 and 3444 Grant Road with maps of original plat; lot line adjustment for Lot 1A, Block 10, Park Hill Addition; lot line adjustment for Lot 2A, Block 10, Park Hill Addition; and legal descriptions
- 5. Cleveland County Court Case No. CJ-2009-2996-L, application of Ideal Homes of Norman, L.P., to vacate and foreclose a part of a utility easement in Park Hill Addition, filed February 3, 2010, with Exhibit “A”, location map and legal description
- 6. Pertinent excerpts of City Council minutes of December 22, 2009

and the question being upon accepting the easements and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the easements accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 12, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR GREENLEAF TRAILS ADDITION, SECTION 2, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

Councilmember Kovach moved that the final site development plan and final plat be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee’s acceptance of all required public improvements and receipt of documentation showing a warranty deed for private parkland is filed of record; and the filing of the final site development plan and final plat be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated March 22, 2010, from Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
- 2. Location map
- 3. Preliminary plat
- 4. Final site development plan
- 5. Final plat
- 6. Staff Report dated October 9, 2008, recommending approval
- 7. Pertinent excerpts from Norman Board of Parks Commissioners minutes of June 3, 2007
- 8. Pertinent excerpts from Planning Commission minutes of October 9, 2008

Item 12, continued:

and the question being upon approving the final site development plan and final plat and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the final site development plan and final plat approved; the public dedications contained within the plat were accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee’s acceptance of all required public improvements and receipt of documentation showing a warranty deed for private parkland is filed of record, and the filing of the final site development plan and final plat was directed.

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Item 13, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR RED CANYON RANCH ADDITION, SECTION 1, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

Councilmember Kovach moved that the final site development plan and final plat be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee’s acceptance of all required public improvements and receipt of documentation showing a warranty deed for private parkland is filed of record; and the filing of the final site development plan and final plat be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated March 22, 2010, from Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
- 2. Location map
- 3. Preliminary plat, Alternate “B”
- 4. Final site development plan
- 5. Final plat
- 6. Staff Report dated June 12, 2008, recommending approval
- 7. Pertinent excerpts from Norman Board of Parks Commissioners minutes of March 2, 2006
- 8. Pertinent excerpts from Planning Commission minutes of June 12, 2008

and the question being upon approving the final site development plan and final plat and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the final site development plan and final plat approved; the public dedications contained within the plat were accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee’s acceptance of all required public improvements and receipt of documentation showing a warranty deed for private parkland is filed of record, and the filing of the final site development plan and final plat was directed.

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Item 14, being:

CONSIDERATION OF FLOOD PLAIN PERMIT NO. 450-B SUBMITTED BY THE CITY OF NORMAN, OKLAHOMA CONSERVATION COMMISSION, AND WATERSHED RESTORATION, INC., TO PERFORM BANK STABILIZATION ON BROOKHAVEN CREEK FROM CROSSROADS BOULEVARD TO NORTH OF ROCK CREEK ROAD.

Councilmember Kovach moved that Flood Plain Permit No. 450-B submitted by the City of Norman, Oklahoma Conservation Commission, and Watershed Restoration, Inc., to perform bank stabilization on Brookhaven Creek from Crossroads Boulevard to north of Rock Creek Road be approved, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 19, 2010, from Shawn O’Leary, Director of Public Works, to Honorable Mayor and Councilmembers
2. Location map
3. Letter dated February 18, 2010, from Doug Glenn, P.E., Cobb Engineering Company, to John Clink, P.E., Capital Projects Engineer
4. Drainage map of Rock Creek Road and I-35
5. Pond Grading Drawing for Brookhaven Creek and Prairie Creek
6. Proposed Time Stage Curves of the Brookhaven Creek Improvement Project
7. Proposed Time-Discharge Curves of the Brookhaven Creek Improvement Project
8. City of Norman Floodplain Permit No. 450-B dated April 10, 2010, submitted by the City of Norman, Oklahoma Conservation Commission, and Watershed Restoration, Inc.
9. Letter dated January 25, 2010 from David A. Manning, Chief, Regulatory Office, Department of the Army Corps of Engineers, Tulsa District, to Mr. Christopher R. DuBois, Wetlands Program Coordinator, Oklahoma Conservation Commission
10. Cleveland County Division 3, Job Piece No. 25922(04) Project No. IMY-0035-2(307)111MS, for Grade, Drain, Bridge, and Surfacing, Brookhaven Creek, dated August 27, 2009
11. Oklahoma Department of Transportation Section 404 Pre-Construction Notification Form dated August 25, 2009, for Rock Creek Road and I-35
12. National Permit 14, Linear Transportation Projects, Identification No. SWT-2009-1094
13. Letter of certification of no-rise associated with Brookhaven Creek dated February 23, 2010, from Russell C. Dutnell, P.E., Environmental Engineer, Riverman Engineering, to Mr. Shawn O’Leary, Floodplain Administrator
14. City of Norman Floodplain Permit No. 450-A dated September 16, 2009, submitted by John Clink, P.E., City of Norman
15. City of Norman Floodplain Permit No. 450-C dated March 9, 2010, submitted by S&S Family Properties, L.L.C.
16. Letter of Certification dated February 26, 2010, from Ole M. Marcussen, P.E., SMC Consulting Engineers, P.C., to Floodplain Administrator
17. Letter dated February 5, 2010, from David A. Manning, Chief, Regulatory Office, Department of the Army Corps of Engineers, Tulsa District, to S&S Family Properties
18. Photographs of project

Participants in discussion

1. Mr. Shawn O’Leary, Director of Public Works
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving Flood Plain Permit No. 450-B submitted by the City of Norman, Oklahoma Conservation Commission, and Watershed Restoration, Inc., to perform bank stabilization on Brookhaven Creek from Crossroads Boulevard to north of Rock Creek Road, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Flood Plain Permit No. 450-B submitted by the City of Norman, Oklahoma Conservation Commission, and Watershed Restoration, Inc., to perform bank stabilization on Brookhaven Creek from Crossroads Boulevard to north of Rock Creek Road was approved.

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Item 15, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 0910-6 FOR LOT 1, BLOCK 1, PAYLESS CASHWAYS ADDITION. (1719 24TH AVENUE S.W.)

Councilmember Kovach moved that Consent to Encroachment No. 0910-6 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated March 31, 2010, from R. Blaine Nice, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Consent to Encroachment No. 0910-6 with Exhibit “A”, legal description for encroachment easement and location map and Exhibit “B”, legal description for water line easement and location map
3. Letter dated January 13, 2010, from Brian Atwood, President, Atwood Distributing, L.P., to City of Norman City Clerk
4. Location map
5. Memorandum dated February 19, 2010, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Kosciński, Current Planning Manager; Ken Danner, Development Coordinator; and Ken Komiske, Director of Utilities
6. Memorandum dated March 1, 2010, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
7. Memorandum dated April 5, 2010, from Doug Kosciński, AICP, Manager of Current Planning, to Honorable Mayor and Councilmembers
8. Memorandum dated March 11, 2010, from Ken Danner, Development Manager, to Blaine Nice, Assistant City Attorney
9. Letter dated February 24, 2010, from Marshall Birchett, Right-of-Way Agent, Cox Communications, to Ken Danner, Planning and Community Development
10. Letter dated February 25, 2010, from Shannon Davis, Oklahoma Natural Gas Company, to Jeff Bryant, City Attorney; Doug Kosciński, Current Planning Manager; Ken Danner, Development Coordinator Manager; and Ken Komiske, Director of Utilities
11. Letter dated February 25, 2010, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Ken Danner, Development Coordinator
12. Email dated February 25, 2010, from Thad Peterson, Oklahoma Electric Cooperative, to Ken Danner
13. Letter dated March 3, 2010, from Terri Hayes, Manager, OSP Planning and Engineering Design, Norman/Noble/Moore West Wire Centers, AT&T, to Whom It May Concern

and the question being upon approving Consent to Encroachment No. 0910-6 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Consent to Encroachment No. 0910-6 approved; and the filing thereof with the Cleveland County Clerk was directed.

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Item 16, being:

AMENDMENT NO. TWO TO CONTRACT NO. K-0708-114: BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND THE BOARD OF COUNTY COMMISSIONERS FOR CLEVELAND COUNTY EXTENDING THE TERM OF THE CONTRACT UNTIL APRIL 22, 2011, FOR THE LEASE OF PROPERTY LOCATED AT THE WEST ENTRANCE OF THE CLEVELAND COUNTY FAIRGROUNDS ON PORTER AVENUE NORTH OF ROBINSON STREET TO BE USED AS A DROP OFF RECYCLING CENTER.

Acting as the Norman Municipal Authority, Trustee Kovach moved that Amendment No. Two to Contract No. K-0708-114 with the Board of County Commissioners for Cleveland County extending the contract to April 22, 2011, be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

- 1. Memorandum dated March 26, 2010, from Scottie Williams, Sanitation Superintendent, to Norman Municipal Authority
- 2. Amendment No. Two to Contract No. K-0708-114

and the question being upon approving Amendment No. Two to Contract No. K-0708-114 with the Board of County Commissioners for Cleveland County extending the contract to April 22, 2011, and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Trustees Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and Amendment No. Two to Contract No. K-0708-114 with the Board of County Commissioners for Cleveland County extending the contract to April 22, 2011, approved; and the execution thereof was authorized.

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Item 17, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-0910-29: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND WYNN CONSTRUCTION COMPANY, INC., INCREASING THE CONTRACT AMOUNT BY \$111,856.96 TO PROVIDE ADDITIONAL FOUNDATION STABILIZATION DUE TO SOIL CONDITIONS IN CONNECTION WITH THE WATER TREATMENT PLANT UPGRADE PROJECT, PHASE I, AND EXTENDING THE CONTRACT 35 CALENDAR DAYS.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Change Order No. One to Contract No. K-0910-29 with Wynn Construction Company, Inc., increasing the contract amount by \$111,856.96 and extending the contract 35 calendar days be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

- 1. Memorandum dated March 8, 2010, from Chris Mattingly, Utilities Superintendent, to Norman Utilities Authority
- 2. Change Order No. One to Contract No. K-0910-29
- 3. Letter dated March 30, 2010, from Thomas O. Crowley, P.E., Carollo Engineers, P.C., to Mr. Chris Mattingly, P.E., Utilities Superintendent, with Attachment 1, Item Description; Attachment 2, Change Order Cost Summary; and Attachment 3, Supporting Documentation List
- 4. Purchase Order No. 179100 dated October 14, 2009, in the amount of \$12,250,132 adding Change Order No. One in the amount of \$111,856.96 for a total contract amount of \$12,361,988.96

Participants in discussion

- 1. Mr. Roger Gallagher, 1522 East Boyd Street, asked questions
- 2. Mr. Ken Komiske, Director of Utilities

Item 17, continued:

and the question being upon approving Change Order No. One to Contract No. K-0910-29 with Wynn Construction Company, Inc., increasing the contract amount by \$111,856.96 and extending the contract 35 calendar days and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Change Order No. One to Contract No. K-0910-29 with Wynn Construction Company, Inc., increasing the contract amount by \$111,856.96 and extending the contract 35 calendar days approved; and the execution thereof was authorized.

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Item 18, being:

CONTRACT NO. K-0910-69: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE CLEVELAND COUNTY SHERIFF’S DEPARTMENT AND THE BOARD OF COUNTY COMMISSIONERS OF CLEVELAND COUNTY TO PROVIDE FOR THE INCARCERATION OF CITY PRISONERS IN THE CLEVELAND COUNTY JAIL FACILITY AT A COST OF \$45 PER DAY PER PRISONER.

Councilmember Kovach moved that Contract No. K-0910-69 with the Cleveland County Sheriff’s Department and the Board of County Commissioners of Cleveland County to provide for the incarceration of City prisoners in the Cleveland County jail facility at a cost of \$45 per day per prisoner be approved, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated March 11, 2010, from Major Jim Maisano, Norman Police Department, through Phil Cotten, Chief of Police, to the Honorable Mayor and Councilmembers
- 2. Contract No. K-0910-69
- 3. City Council Conference minutes of March 23, 2010

and the question being upon approving Contract No. K-0910-69 with the Cleveland County Sheriff’s Department and the Board of County Commissioners of Cleveland County to provide for the incarceration of City prisoners in the Cleveland County jail facility at a cost of \$45 per day per prisoner and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No K-0910-69 with the Cleveland County Sheriff’s Department and the Board of County Commissioners of Cleveland County to provide for the incarceration of City prisoners in the Cleveland County jail facility at a cost of \$45 per day per prisoner approved; and the execution thereof was authorized.

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Item 19, being:

CONTRACT NO. K-0910-166: A PIPELINE LICENSE BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BURLINGTON, NORTHERN AND SANTA FE (BNSF) RAILWAY COMPANY IN THE AMOUNT OF \$3,500 IN CONNECTION WITH ROBINSON STREET GRADE SEPARATION PROJECT.

Councilmember Kovach moved that Contract No. K-0910-166, a pipeline license, with BNSF Railway Company in the amount of \$3,500 be approved, the execution thereof be authorized, and payment in the amount of \$3,500 to BNSF Railway Company be directed, which motion was duly seconded by Councilmember Cubberley;

- Items submitted for the record
1.

Memorandum dated April 5, 2010, from John Clink, Capital Projects Engineer, to Honorable Mayor and City Council
2.

Contract No. K-0910-166 with Exhibit A, location map
3.

Location map
4.

Purchase Requisition No. 0000169333 dated March 29, 2010, in the amount of \$7,000 to BNSF Railway Company
- Participants in discussion
1.

Ms. Sylvia Martin, Post Office Box 430, asked questions
2.

Mr. Shawn O’Leary, Director of Public Works

and the question being upon approving Contract No. K-0910-166, a pipeline license, with BNSF Railway Company in the amount of \$3,500 and upon the subsequent authorization and directive, a vote was taken with the following result:

YEAS:

Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Contract No K-0910-166, a pipeline license, with BNSF Railway Company in the amount of \$3,500 approved; the execution thereof was authorized and payment in the amount of \$3,500 to BNSF Railway Company was directed.

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Item 20, being:

CONTRACT NO. K-0910-167: A PIPELINE LICENSE BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BURLINGTON, NORTHERN AND SANTA FE RAILWAY (BNSF) COMPANY IN THE AMOUNT OF \$3,500 IN CONNECTION WITH ROBINSON STREET GRADE SEPARATION PROJECT.

Councilmember Kovach moved that Contract No. K-0910-167, a pipeline license, with BNSF Railway Company in the amount of \$3,500 be approved, the execution thereof be authorized, and payment in the amount of \$3,500 to BNSF Railway Company be directed, which motion was duly seconded by Councilmember Cubberley;

- Items submitted for the record
1.

Contract No. K-0910-167 with Exhibit A, location map
- Participants in discussion
1.

Ms. Sylvia Martin, Post Office Box 430, asked questions
2.

Mr. Shawn O’Leary, Director of Public Works

and the question being upon approving Contract No. K-0910-167, a pipeline license, with BNSF Railway Company in the amount of \$3,500 and upon the subsequent authorization and directive, a vote was taken with the following result:

YEAS:

Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Contract No K-0910-167, a pipeline license, with BNSF Railway Company in the amount of \$3,500 approved; the execution thereof was authorized and payment in the amount of \$3,500 to BNSF Railway Company was directed.

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Item 21, being:

RESOLUTION NO. R-0910-109: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, COMMENDING HITACHI COMPUTER PRODUCTS FOR ITS PAST CONTRIBUTIONS TO OUR COMMUNITY AND SUPPORTING THEIR BUILDING EXPANSION AND FUTURE GROWTH IN THE CITY OF NORMAN.

Councilmember Kovach moved that Resolution No. R-0910-109 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Letter of request dated March 29, 2010, from Don M. Wood, CEcD, Executive Director, Norman Economic Development Coalition, to Mayor Cindy Rosenthal and City Council
- 2. Resolution No. R-0910-109

Participants in discussion

- 1. Mr. George Wilson, President of Hitachi Computer Products, accepted the resolution and thanked the Council

and the question being upon adopting Resolution No. R-0910-109, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-0910-109 was adopted.

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Item 22, being:

PROCLAMATION NO. P-0910-16: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 18 THROUGH 24, 2010, AS LITTLE RIVER ZOO’S KIDS FOR KINDNESS WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0910-16 proclaiming the week of April 18 through 24, 2010, as Little River Zoo’s Kids for Kindness Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Proclamation No. P-0910-16

Participants in discussion

- 1. Ms. Janet Schmid, Director of Little River Zoo, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0910-16 proclaiming the week of April 18 through 24, 2010, as Little River Zoo’s Kids for Kindness Week in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation No. P-0910-16 proclaiming the week of April 18 through 24, 2010, as Little River Zoo’s Kids for Kindness Week in the City of Norman acknowledged; and the filing thereof was directed.

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Item 23, being:

PROCLAMATION NO. P-0910-17: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SUNDAY, APRIL 18, 2010, AS ARBOR DAY AND RECYCLING DAY IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0910-17 proclaiming Sunday, April 18, 2010, as Arbor Day and Recycling Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Proclamation No. P-0910-17

Participants in discussion

- 1. Ms. Suzanne Terry, Program Coordinator for the Parks and Recreation Department, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0910-17 proclaiming Sunday, April 18, 2010, as Arbor Day and Recycling Day in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No. P-0910-17 proclaiming Sunday, April 18, 2010, as Arbor Day and Recycling Day in the City of Norman acknowledged; and the filing thereof was directed.

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Item 24, being:

PROCLAMATION NO. P-0910-18: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 26 THROUGH 30, 2010, AS OU STAFF WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0910-18 proclaiming the week of April 26 through 30, 2010, as OU Staff Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Proclamation No. P-0910-18

Participants in discussion

- 1. Ms. Margaret Smith, OU Staff Week Coordinator, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0910-18 proclaiming the week of April 26 through 30, 2010, as OU Staff Week in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No. P-0910-18 proclaiming the week of April 26 through 30, 2010, as OU Staff Week in the City of Norman acknowledged; and the filing thereof was directed.

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Item 25, being:

PROCLAMATION NO. P-0910-22: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 11 THROUGH 17, 2010, AS NATIONAL TELECOMMUNICATOR WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0910-22 proclaiming the week of April 11 through 17, 2010, as National Telecommunicator Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Proclamation No. P-0910-22

Participants in discussion

1. Mr. Lance Terry, Communications Center Supervisor, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0910-22 proclaiming the week of April 11 through 17, 2010, as National Telecommunicator Week in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation No. P-0910-22 proclaiming the week of April 11 through 17, 2010, as National Telecommunicator Week in the City of Norman acknowledged; and the filing thereof was directed.

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Item 26, being:

CONSIDERATION OF ACCEPTANCE OF REQUEST FOR PROPOSAL NO. RFP-0910-46 FROM HDR ENGINEERING, INC., IN AN AMOUNT NOT-TO-EXCEED \$566,304 TO PROVIDE WASTEWATER FLOW MONITORING AND MODELING SERVICES, APPROVAL OF CONTRACT NO. K-0910-164, AND BUDGET APPROPRIATION.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Request for Proposal No. RFP-0910-46 from HDR Engineering, Inc., in an amount not-to-exceed \$566,304 to provide professional engineering services for wastewater flow monitoring and modeling services be accepted; Contract No. K-0910-146 be approved; the execution thereof be authorized; and \$208,509 be appropriated from the Wastewater Fund Balance (032-0000-253.20-00) to Project WW0042, Wastewater Flow Monitoring, Design (032-9337-432.62-01), which motion was duly seconded by Trustee Cubberley;

Items submitted for the record

1. Memorandum dated March 29, 2010, from Mark Daniels, Utilities Engineer, to Norman Utilities Authority
2. Request for Proposal ranking tabulation for Wastewater Flow Monitoring and Modeling
3. Location map
4. Contract No. K-0910-164 with Exhibit A, Engineer's Services; Exhibit A-1, Engineer's Scope of Basic Services; Exhibit B, Owner's Responsibilities; Exhibit C, Payments to Engineer for Services and Reimbursable Expenses; Exhibit C-1, Basis of Compensation; Exhibit G, Insurance; Exhibit H, Dispute Resolution; Exhibit I, Limitations on Liability; and Exhibit K, Amendment to Owner-Engineer Agreement
5. Purchase Requisition No. 0000169631 dated April 6, 2010, in the amount of \$566,304 to HDR Engineering, Inc.

Item 26, continued:

and the question being upon accepting Request for Proposal No. RFP-0910-46 from HDR Engineering, Inc., in an amount not-to-exceed \$566,304 to provide professional engineering services for wastewater flow monitoring and modeling services and upon the subsequent approval, authorization, and appropriation, a vote was taken with the following result:

YEAS:	Trustees Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Request for Proposal No. RFP-0910-46 from HDR Engineering, Inc., in an amount not-to-exceed \$566,304 to provide professional engineering services for wastewater flow monitoring and modeling services accepted; Contract No. K-0910-146 was approved, the execution thereof was authorized, and \$208,509 was appropriated from the Wastewater Fund Balance (032-0000-253.20-00) to Project WW0042, Wastewater Flow Monitoring, Design (032-9337-432.62-01).

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MISCELLANEOUS DISCUSSION

Inclusive Communities Meeting. Mr. Bobby Stevens, 3801 108th Avenue S.E., said he had attended the Inclusive Communities meeting on April 12, 2010, at Little Axe. He said the Mayor, Councilmember Butler, and several police officers had attended and it was a very informative meeting. He said approximately 30 people had been in attendance and he wished there had been more information about the meeting provided by the media.

Councilmember Butler said she had attended an excellent meeting at Little Axe under the auspices of the Norman Human Rights Commission which was the fourth Inclusive Communities discussion held in Norman. She said the meeting was well attended with good discussion on issues and many comments about enhanced City services in rural Norman. She said her small group had discussed economic development and housing issues. She thanked the Mayor, the Police Department, and Human Rights Commission members for their attendance.

Mayor Rosenthal thanked everyone who attended the meeting in Little Axe especially the Human Rights Commission for their work in organizing the event and to Staff members attending the meeting.

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Search and Rescue Helicopter. Mr. Bobby Stevens, 3801 108th Avenue S.E., said three bodies were discovered in the area where he lived just recently and he felt that the City of Norman or Cleveland County should purchase a helicopter for search and rescue operations. He said the City had to use a helicopter from Oklahoma City and could have saved time and possibly a life if the City or County owned one. He commended the Police Department in their efforts to help with the investigation. He said he knew the City was possibly in the process of laying off employees and should slow down spending too much money but public safety needed to come first.

Mr. Roger Gallagher, 1522 East Boyd Street, asked who pays the bill when the Norman Police Department asks Oklahoma City to provide a Search and Rescue helicopter because he knew the cost was approximately \$500 per hour.

Police Chief Phil Cotten said Oklahoma City and other police departments assist the Norman Police Department through a mutual aid agreement. He said the City of Oklahoma City does not charge for assisting the City of Norman and the City of Norman does not charge other cities as well.

Mayor Rosenthal asked if the Norman Police Department could justify a helicopter as an equipment need. Chief Cotten said a helicopter was very expensive to purchase, maintain, and operate and the Police Department has been unable to justify this expense.

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Miscellaneous Discussion, continued:

Speed Bumps. Mr. George Eyler, 201 Overton Drive, read a petition from the residents of Mount Vernon Drive dated March 9, 2010, asking for speed humps on Mount Vernon Drive and said the petition suggested installed speed humps on Morren Drive as well. He said the petition had been signed by seventeen people but Mount Vernon Drive was not getting speed humps but speed humps were to be on Morren Drive. He wanted to know why this was being done. He said on February 20, 2010, the Norman Transcript published an article referring to a fatality accident on Morren Drive from a speed instance and this accident had not occurred due to speeding. He said another letter was written mentioning this fatality and he would like to make sure that the petition which required 60 signatures did not list the fatality as a justification for speed humps and felt that would negate the petition. He said the instructions reference the 85th percentile which really means 15% of the people exceeding the speed limit. He said he asked if the speed limit could be increased and was told that the speed limit was not negotiable but adding speed humps to decrease the speed was an alternative. He said this decision needs to be re-evaluated.

Mayor Rosenthal asked the Director of Public Works to provide an update on the project and the future of the Traffic Calming Program.

Mr. Shawn O'Leary, Director of Public Works, said there are still eleven active neighborhoods working in the Traffic Calming Program and of those eleven neighborhoods, nine petitions are in the process which takes sometimes up to a year of traffic studies and neighborhood meetings. He said he did not have the information about the project at this time so he could only speculate that Mount Vernon did not qualify for the program because for a street to qualify, it must have a volume of 600 vehicles per day with an 85th percentile speed or a speed that 85% of the traffic is traveling at or below 33 miles per hour. He said the City of Norman is bound by State Statute in terms of speed limits on neighborhood streets and cannot exceed the 25 mile per hour speed limit even if it was the desire of the City. He said he would follow up with Mr. Eyler on Wednesday. He said the Traffic Calming Program is presently under review and there are budgetary considerations being made for this year's and future years' programs. He said the City Council Oversight Committee spent a great deal of time looking at the program and making a number of changes and enhancements which has made the process more challenging for neighborhoods to get a project approved. He said neighborhoods continue to contact Staff with concerns about speeding. He said Staff has been working with the Western View neighborhood and although several residents of the addition are interested in traffic calming devices, there are also as many who are not.

Councilmember Dillingham said she receives questions and comments weekly about speed humps, both positive and negative. She said she has not met one citizen who thinks there is not a speeding problem in Norman. She said trying to come up with a method of speed interdiction that positively impacts our neighborhoods has proven to be difficult, but Council will continue to work on it.

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Bicycle Route on 36th Avenue N.W. Mr. Roger Gallagher, 1522 East Boyd Street asked why there was a Bicycle Route on 36th Avenue N.W. when there is no shoulder on most of 36th Avenue and too much traffic. He said he would like information on how the Bicycle Committee sets these routes.

Mayor Rosenthal asked that the Director of Parks and Recreation to ask Mr. James Briggs, staff liaison for the Bicycle Advisory Committee, to please contact Mr. Gallagher regarding the selection of bike routes by the committee.

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Spring Cleanup. Mr. Leonard Youngblood, 3201 Swan Hollow Drive, said he had participated in Spring Cleanup this past week and was very pleased to see the Sanitation trucks come into the neighborhood with such efficiency. He commended the Sanitation Department for a great program and how well the Sanitation equipment is maintained.

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Shop Norman. Councilmember Quinn encouraged citizens to spend their money in Norman and to please "Shop Norman."

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Miscellaneous Discussion, continued:

Household Waste Collection Event. Councilmember Cubberley announced the annual Household Waste Collection Event would be held Saturday, April 24, 2010, in the parking lot at the Lloyd Noble Center from 8:00 a.m. to 2:00 p.m. and urged residents of Norman to participate in this free event. He asked citizens to call Environmental Services at 292-9731 to receive more information or to volunteer to work at the event and that volunteers would also attend a Safety Meeting on Friday evening where pizza would be provided. He said recyclable items such as computers; batteries; tires without rims; paint; chemicals; and pesticides could be disposed of safely at this event and the event was a way to support efforts to keep the City clean.

*

24th Avenue N.E. and Robinson Intersection. Councilmember Griffith thanked Mr. Angelo Lombardo and Mr. David Riesland, Traffic Engineers, for their prompt and successful resolution to a traffic flow problem at 24th Avenue N.E. and Robinson by meeting with a neighborhood group and providing an easy solution to the problem.

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Brookhaven Creek. Councilmember Butler said the Brookhaven Creek Project started several years ago to clean out the creek and the plan has been to install concrete drainage. She said over time, the project has become much more complex and she has been very impressed with the designs being used to provide drainage naturally through other means such as manmade wetlands which will improve water quality.

*

Norman Events. Councilmember Dillingham said Kids for Kindness is a fun and free event and hoped everyone would start the week out by going to Reaves Park on April 18 for the Kids for Kindness Kickoff and end the week by attending the 89er's Parade and the Hazardous Waste Cleanup.

Mayor Rosenthal said there are many events scheduled for the weekend of April 24th. She said the 89er Day Parade will be Saturday morning on Main Street; the Norman Music Festival will be April 24th and 25th on East Main Street with the Dust Bowl Arts Market being held in conjunction with the Festival in the City's parking lot on Gray and Peters; the Lion's Club Carnival will be April 22nd, 23rd, and 24th on James Garner Avenue along the railroad tracks; the Historical Museum will have a Chili Cook-off and Blue Grass Festival on April 24th; and the 89er Day Rodeo will be held at the rodeo grounds on 60th Avenue N.E. on April 23rd and 24th.

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Legacy Park. Councilmember Kovach said the deadline for the March 31st bid letting for Legacy Park had come and gone which indicated negotiations had not gone well despite good efforts from Staff and Council on the TIF District in University North Park. He said he would like to review where we have come from and where we are going to go with this project. He said he had read Citizens Oversight Committee for the TIF minutes co-chaired by Councilmember Cubberley with several Norman City business leaders on the committee. He was impressed to see the work the committee had done formulating the project to provide safeguards for the City. He read a section of the minutes that discussed the justification of using public money on a private project and stating that the development would need to be a regional magnet and the shopping experience must be one that is not already available in the area. He said he felt this was not the case and although new businesses in the community are welcome, the ones that are there or on the way have not fulfilled the vision of the TIF. He said the report from the TIF Oversight Committee stressed problems that could result if the development comes in direct competition with its neighbors and would not be the original destination that it must be to justify the TIF. He said the Cannibalization Study said that the TIF would not affect other businesses in town if it were a regional magnet but bring shoppers from outside the area to the TIF and surrounding businesses to help the entire business community. He said funds should be disbursed upon agreement by the developer to construct Phase 1B, the Lifestyle Center, which is also the funding for Legacy Park, an amenity for the development envisioned to be tied to the Lifestyle Center. He urged Council to meet to discuss the TIF and invite business leaders who had participated in the original TIF Committee to give their input because even though the business community fought hard for the TIF, they are also the ones who are imperiled if it is not functioning properly.

Mayor Rosenthal reassured Councilmember Kovach and citizens there is a Council subcommittee that has been very much involved in overseeing the negotiations comprised of Councilmembers Cubberley, Ezzell, Quinn, and herself. She said they had met many times and negotiations are continuing. She said there is an architectural review committee working diligently to fulfill the expectations of the University North Park TIF. She said there is a Citizens Oversight Committee for the TIF which includes many business people who were a part of the early negotiations. She said it is premature to conclude the negotiations have not gone well.

Miscellaneous Discussion, continued:

OU Big Event. Mayor Rosenthal thanked students who worked during the University of Oklahoma’s “OU Big Event” last Saturday, April 10th. She said approximately 5,000 students worked in our community on projects in Reaves Park, Sutton Urban Wilderness, Andrews Park, and Legacy Trail; cleaned up around the Historical House Museum in preparation of their event on April 24th and 25th; picked up litter at Oliver’s Woods Wildlife Preserve which is a study area for biologists and on downtown streets in preparation for the parade. She said a group of students rolled sod on Saturday afternoon in the yard of a new handicap accessible home on Apache Street built by volunteers for Habitat for Humanity. She expressed appreciation on behalf of the City for all of their efforts.

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Water Forum Series 8. Mayor Rosenthal announced that Water Forum Series 8 would be held Thursday at 6:00 p.m. in City Council Chambers and financial information would be discussed with a comparison of different alternatives.

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2010 Census. Mayor Rosenthal said Friday, April 16th, concludes the census initial phase. She acknowledged the Complete Count Census Committee who have been working to generate participation. She said if citizens had not received their census forms, they could obtain one at the Norman Public Library. She said the second phase of the census would be the “door to door” phase and to save money, please mail the form in by Friday. She said this is a critical count for the City of Norman because so many federal initiatives depend upon an accurate count and are population driven. She said that Oklahoma has received 60% of the forms and Norman has received 65% response. She encouraged everyone to complete the census on behalf of their community.

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ADJOURNMENT

There being no further business, Councilmember Quinn moved that the meeting be adjourned, which motion was duly seconded by Councilmember Kovach; and the question being upon adjournment of the meeting, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 7:58 p.m.

ATTEST:

City Clerk

Mayor